

NLRB-27

System name:

Special Litigation Branch Case Tracking System (SPLIT) and Associated Headquarters Files.

Security classification:

None.

System location:

Records are stored on paper and electronic media at Agency Headquarters, Special Litigation Branch, Division of Enforcement Litigation, 1099 14th Street, NW., Washington, DC 20570. Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to official travel, Associated Headquarters Files (or copies of such files) also may be temporarily located at alternative worksites. All appropriate safeguards will be taken at these sites.

Categories of individuals covered by the system:

Individual parties or potential parties in matters referred to or handled by the Special Litigation Branch of the Division of Enforcement Litigation; current and former Agency employees assigned to cases.

Categories of records in the system:

(1) Summary information of matters handled by the Special Litigation Branch (such as names of parties, case status, case type, due dates for court filings, and Agency personnel assignments) is maintained in an electronic case tracking system, SPLIT.

(2) Associated Headquarters Files are paper records established and maintained for processing Special Litigation Branch matters. The paper records are administrative and court records (such as unfair labor practice and court complaints and answers, transcripts, exhibits, briefs, motions, Board decisions, court opinions and orders made in the adjudication of cases, and case-docketing information), correspondence, legal research memoranda, and other related documents. Both SPLIT and the Associated Headquarters Files may include parties' home addresses and home telephone numbers, if such information is provided to the Agency. Portions of these records include civil investigatory and law enforcement information.

Authority for maintenance of the system:

29 U.S.C. 153(d), 159, 160, 161; 44 U.S.C. 3101.

#### Purpose:

SPLIT is an electronic case tracking system used by the Special Litigation Branch to facilitate the accurate and timely collection, retrieval, and retention of information regarding the Branch's cases, including those brought under the National Labor Relations Act, the Equal Access to Justice Act, the Freedom of Information Act, the Bankruptcy Code, the Privacy Act, and actions brought to mandate or prohibit specific conduct by the Board, the General Counsel and other Agency personnel. The information and activities tracked by the system may be generated by the parties' filing of briefs, motions, and other documents, by orders or other documents received from the Agency, bankruptcy courts, district courts, and courts of appeals, or by analytical processes undertaken by Board employees assigned to cases. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources, creating the Agency's budget, preparing monthly and annual reports of casehandling activities, and providing requested statistical reports to the public. The Associated Headquarters Files are paper files maintained to litigate or otherwise resolve matters handled by the Branch. SPLIT and the Associated Headquarters Files may also be used to assist in evaluating Agency employee performance.

Routine uses of records maintained in the system, including categories of users and the purpose of such uses:

The standard routine uses applying to this system are listed in the General Prefatory Statement to this document.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data is maintained on paper and electronic media.

Retrievability:

Data may be retrieved by names of individual parties or potential parties in matters referred to or handled by the Special Litigation Branch; names of current and former Agency employees assigned to cases; as well as by non-personal identifiers, such as case names and numbers assigned by the Branch.

Safeguards:

Access to Agency working and storage areas is restricted to Agency employees who have a need to use the information in order to perform their duties, custodial personnel, Federal Protective Service personnel, and other contractor and security personnel.

All other persons are required to be escorted in Agency areas. Associated Headquarters Files are maintained in staffed or locked areas during working hours. The facilities are protected from unauthorized access during non-working hours by the Federal Protective Service or other security personnel. Those Agency Headquarters employees who telecommute and may possess Associated Headquarters Files (or copies of such files) at alternative worksites are instructed as to keeping such information in a secure manner.

Electronic system-based access controls are in place to prevent data misuse. Access to electronic information is controlled by administrators who determine users authorized access based on each user's office and position within the office. Access criteria, procedures, controls, and responsibilities are documented and consistent with the policies stated in a memorandum titled NLRB Access Control Standards, Password Management," and dated January 23, 2002. All network users are also warned at the time of each network login that the system is for use by authorized users only, and that unauthorized or improper use is a violation of law.

#### Retention and disposal:

SPLIT information will be retained and disposed of in accordance with appropriate Agency schedules that will be submitted to the National Archives and Records Administration (NARA) for its approval. Associated Headquarters Files are disposed of in accordance with the Agency's Disposition Standards Records, as approved by NARA.

#### System manager and address:

Assistant General Counsel, Special Litigation Branch, National Labor Relations Board, Room 8600, 1099 14th Street, NW., Washington, DC 20570-0001.

#### Notification procedures:

For records not exempted under 5 U.S.C. 552a(k)(2) of the Privacy Act, an individual may inquire as to whether this system contains a record pertaining to such individual by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117a(a) (as newly designated in accompanying proposed amended regulations).

#### Record access procedure:

For records not exempted under 5 U.S.C. 552a(k)(2) of the Privacy Act, an individual seeking to gain access to records in this system pertaining to such individual should contact the System Manager in accordance with the procedures set forth in 29 CFR Sec. 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

#### Contesting record procedure:

For records not exempted under 5 U.S.C. 552a(k)(2) of the Privacy Act, an individual may request amendment of a record in this system pertaining to such individual by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR Sec. 102.117a(d) (as newly designated in accompanying proposed amended regulations).

#### Records source categories:

For records not exempted under 5 U.S.C. 552a(k)(2) of the Privacy Act, record source categories include parties in cases and potential cases before the Special Litigation Branch, and administrative and court records in matters handled by the Special Litigation Branch (such as unfair labor practice complaints, transcripts, exhibits, briefs, motions, Board decisions, court opinions and orders made in the adjudication of cases, and case-docketing information), correspondence, legal research memoranda, and other related documents.

#### Exemptions claimed for the system:

Pursuant to 5 U.S.C. 552a(k)(2), the Agency has exempted portions of this system, including records relating to investigative subpoena enforcement cases, injunction and mandamus actions regarding Agency cases under investigation, bankruptcy claims in cases under investigation, Freedom of Information Act cases involving investigatory records, and certain requests that the Board initiate litigation or intervene in non-Agency litigation, from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I), and (f).